

EXHIBIT 5

State of South Carolina) In the Court of Common Pleas
)
 County of Hampton) Case No: 2017-CP-25-00348

Jessica S. Cook, Corrin F.)
 Bowers & Son, Cyril B. Rush,)
 Jr., Bobby Bostick, Kyle Cook,))
 Donna Jenkins, Chris Kolbe,)
 and Ruth Ann Keffer, on behalf)
 of themselves and all other)
 similarly situated,)

Plaintiff(s),)

vs.)

Video Deposition

of

Michael Crosby

South Carolina Public Service)
 Authority, an Agency of the)
 State of South Carolina (also)
 known as Santee Cooper); W.)
 Leighton Lord, III, in his)
 capacity as chairman and)
 director of the South Carolina)
 Public Service Authority;)
 William A. Finn, in his)
 capacity as director of the)
 South Carolina Public Service)
 Authority; Barry Wynn, in his)
 capacity as director of the)
 South Carolina Public Service)
 Authority; Kristofer Clark, in)
 his capacity as director of)
 the South Carolina Public)
 Service Authority; Merrell W.)
 Floyd, in his capacity as)
 director of the South Carolina)
 Public Service Authority; J.)
 Calhoun Land, IV, in his)
 capacity as director of the)
 South Carolina Public Service)
 Authority; Stephen H. Mudge,)
 in his capacity as director of)
 the South Carolina Public)
 Service Authority; Peggy H.)
 Pinnell, in her capacity as)
 director of the South Carolina)
 Public Service Authority; Dan)
 J. Ray, in his capacity as)

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1 accept yours, I mean, if you think that's an
2 interpretation as well. It was a long rambling
3 voicemail, so. I will tell you, though,
4 Mr. Solomons, that just doesn't sync, your last
5 scenario, because Marion worked in the trenches
6 daily with Carlette and her whole team on
7 invoices. And so he was in the trenches looking
8 at invoices along with the whole team, and if
9 there was anything awry there, Marion would have
10 already known it. So the scenario just doesn't
11 make logical sense to me.

12 Q Okay. I asked if you had read the transcripts of
13 any depositions and you said no, correct?

14 A In preparation for this deposition, I have not.

15 Q Have you read them in any other?

16 A I have.

17 Q What depositions have you read?

18 A I recall reading a redacted version of Carlette
19 Walker's. I read Ken Browne's deposition. These
20 were depositions for the Public Service Commission
21 hearing. And I read Gary Jones' deposition, who
22 was ORS' expert.

23 Q When you read Ken Browne's, do you remember
24 discussion in Ken Browne's deposition about Ken
25 Browne doing some calculations in determining at

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1 the current rate that things were going it would
2 take over 26 years to complete the project?

3 MR. CHALLEY: [Objection]

4 MS. THOMAS: [Objection]

5 A I did a similar calculation.

6 Q You had done a similar calculation?

7 A If you looked at in the moment, the contractor's
8 performance hadn't increased. And so when we
9 started getting metric type data where you could
10 do that -- I'm trying to think of the context I
11 did it in -- but I had done a similar calculation
12 myself. They were not making the progress
13 month-over-month that they needed to make, and
14 that's what we were working so hard to effect a
15 change on. You know, I didn't check Kenny's math,
16 and to be honest with you, I don't remember that
17 as part of the deposition, but I did read the
18 deposition.

19 Q Do you know Ken Browne?

20 A I do. I know him well.

21 Q Is he honest?

22 A He's a good guy, yes.

23 Q Is he competent?

24 A He's a good engineer.

25 MR. CHALLEY: [Objection]